



EPA Region 7 TMDL Review

TMDL ID 347 **Water Body ID** 3, 5, 6, 8, 10

Water Body Name Neosho River (Chanute)

Pollutant Copper

Tributary Sutton Creek (35), Slack Creek (30), Charles Branch Creek (27), Onion Creek (24), Elm Creek (1050), Rock Creek (7), Spring Creek (46), Indian Creek (924), Little Indian Creek (939), Martin Creek (49), Crooked Creek (44)

State KS **HUC** 11070204

Basin Neosho

Submittal Date 01/13/2005

Approved yes

Submittal Letter

State submittal letter indicates final TMDL(s) for specific pollutant(s)/ water(s) were adopted by the state, and submitted to EPA for approval under section 303(d) of the Clean Water Act.

Letter received by EPA January 13, 2005, formally submitting this TMDL for approval under Section 303(d). Revised TMDL submitted by email 1/27/2005.

Water Quality Standards Attainment

The water body's loading capacity for the applicable pollutant is identified and the rationale for the method used to establish the cause-and-effect relationship between the numeric target and the identified pollutant sources is described. TMDL and associated allocations are set at levels adequate to result in attainment of applicable water quality standards.

The loading capacity is defined by the numeric water quality criterion for copper which is hardness-dependent. The endpoint is for total copper concentrations to remain below the acute copper criterion for any flow. A significant relationship was found between flow and hardness and the resulting equation was used to derive a load duration curve.

Representative data for chronic conditions did not support a 2002 303(d) listing for these waters; the listing was based on the acute criterion only. However, analyses explained in the TMDL indicate compliance with the acute criterion would be adequately protective of

chronic toxicity as well. The results of GWLF modeling and flow duration evaluation suggest, that on the average, no overall reduction is needed but a load reduction associated with localized activities, within the Station 560 drainage, are necessary to reduce incremental and episodic loadings that are causing exceedances of the acute copper criterion.

Numeric Target(s)

Submittal describes applicable water quality standards, including beneficial uses, applicable numeric and/or narrative criteria. If the TMDL is based on a target other than a numeric water quality criterion, then a numeric expression, site specific if possible, was developed from a narrative criterion and a description of the process used to derive the target is included in the submittal.

The TMDL describes all applicable WQS and the beneficial uses; the impaired use is the expected aquatic life use. The target is the water quality criterion for acute copper toxicity.

Link Between Numeric Target(s) and Pollutant(s) of concern

An explanation and analytical basis for expressing the TMDL through surrogate measures (e.g., parameters such as percent fines and turbidity for sediment impairments, or chlorophyll-a and phosphorus loadings for excess algae) is provided, if applicable. For each identified pollutant, the submittal describes analytical basis for conclusions, allocations and margin of safety that do not exceed the load capacity.

The target is the water quality criterion for acute copper toxicity; the link between the target and the criterion is hardness-dependent. The Generalized Watershed Loading Function (GWLF) model was used to calculate the watershed yield for sediment, and copper concentrations in soils were derived from several USGS studies in Kansas. This modeling was based on average conditions and did not provide insight as to the reductions necessary to achieve episodic excursion beyond the copper standard. The modeling did however suggest that a 76% reduction was necessary for the incremental drainage area between Iola and Chanute. The load duration curve was used to calculate the TMDL because it relies on measured water quality data and paired water hardness data, and a wide range of "flow exceedance" data representing a complete range of flows anticipated in the Neosho River. In calculating the TMDL the average condition was considered across the seasons to establish goals of the endpoint and desired reductions. Therefore, the target hardness dependent copper level was multiplied by the flow at a given percentile for the Neosho River across all hydrologic conditions which is represented graphically by the integrated area under the copper load duration curve.

Source Analysis

Important assumptions made in developing the TMDL, such as assumed distribution of land use in the watershed, population characteristics, wildlife resources, and other relevant information affecting the characterization of the pollutant of concern and its allocation to sources, are described. Point, non point and background sources of pollutants of concern are described, including magnitude and location of the sources. Submittal demonstrates all significant sources have been considered.

Land use and sources in the watershed are described. Several studies were evaluated for potential copper sources such as automobile brake deposits, building materials, and copper-based pesticides and feed or fertilizers. Due to the low density of human populations in the watershed, agricultural land uses involving copper are suspected as the significant contributors. All significant sources are discussed.

Allocation

Submittal identifies appropriate wasteload allocations for point, and load allocations for nonpoint sources. If no point sources are present the wasteload allocation is zero. If no nonpoint sources are present, the load allocation is zero.

The allocation of wasteloads (WLAs) and load allocations (LAs) are made in terms of total copper reductions. Allocations relate to the average copper levels seen in the Neosho system at station 560. The average loading capacity is identified as 55.136 pounds/day. The area under the load duration curve is segregated into allocated areas assigned to point sources (WLA) and non-point sources (LA).

WLA Comment

Individual WLAs are provided for the five facilities in the basin. The total WLA is 0.435 pounds/day total copper; no reduction is necessary based on no observed excursions above the standard attributable to the point sources.

LA Comment

No overall reduction is identified but episodic issues were identified and improvements within the basin between Iola and Chanute are identified.

Margin of Safety

Submittal describes explicit and/or implicit margin of safety for each pollutant. If the MOS is implicit, the conservative assumptions in the analysis for the MOS are described. If the MOS is explicit, the loadings set aside for the MOS are identified and a rationale for selecting the value for the MOS is provided.

The LA is an average 49.187 pounds/day total copper; no overall reduction but a 76% reduction of 16.131 may be needed within the Station 560 drainage.

Seasonal Variation and Critical Conditions

Submittal describes the method for accounting for seasonal variation and critical conditions in the TMDL(s).

Seasonal variation and critical conditions are considered in the use of the load duration curve methodology which accounts for loads at all flow conditions.

Public Participation

Submittal describes public notice and public comment opportunity, and explains how the public comments were considered in the final TMDL(s).

Public meetings to discuss TMDLs in the Neosho Basin were held January 9, 2002, in Burlington, March 4, 2002, in Council Grove, and July 30, 2004, in Marion. Public hearings were held in Burlington and Parsons on June 3, 2002. The Neosho Basin Advisory Committee met to discuss the TMDLs in the basin on October 2, 2001, January 9, March 4, and June 3, 2002. The TMDL was public noticed on the KDHE TMDL website: <http://www.kdhe.state.ks.us/TMDL>.

Monitoring Plan for TMDL(s) Under Phased Approach

The TMDL identifies the monitoring plan that describes the additional data to be collected to determine if the load reductions required by the TMDL lead to attainment of WQS, and a schedule for considering revisions to the TMDL(s) (where phased approach is used).

KDHE will continue to collect bimonthly samples at rotational Station 560 in 2004 and 2008 including total copper samples. More intensive sampling may be conducted if monitoring indicates continued impaired status. USGS Real time flow data is available near Iola. Use of USEPA Method 1669 - Sampling Ambient Water for Trace Metals at USEPA Water Quality Criteria Levels for ultra-clean copper sampling and analysis could help to further define potentially bioavailable and toxic forms of copper in the subwatershed.

Reasonable assurance

Reasonable assurance only applies when reduction in nonpoint source loading is required to meet the prescribed waste load allocations.

Reasonable assurance, although not necessary for this TMDL since the point source contribution is inconsequential, includes numerous authorities and funding through the Kansas Water Plan.
